

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT LINFORD STIRKINS,

Defendant.

CR 05-00379 MJP

ORDER CONTINUING TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE

ORDER

THIS MATTER COMES before the Court on the stipulation of the parties requesting an Order setting a new trial date. Having considered the stipulation of the parties and all of the files and records herein,

THE COURT FINDS AS FOLLOWS:

1. Failure to grant a continuance in this case will deny defense counsel the reasonable time necessary for effective preparation for trial and other pretrial proceedings, taking into account the exercise of due diligence; and

2. The ends of justice served by granting this continuance outweigh the best interest of the public and the defendants in a speedier trial; and

1 3. The failure to grant a continuance in the proceeding will likely result in a
2 miscarriage of justice; all within the meaning of 18 USC § 3161 (h) (8) (A), (B)(i) and
3 (B)(iv).

4 THE COURT THEREFORE ORDERS THAT:

- 5 1. The trial shall be continued from December 27, 2005 to February 6, 2006.
- 6 2. The Court further orders that all pretrial motions shall be filed on or before
7 January 13, 2006.
- 8 3. The period of time from the current trial date until the new trial date
9 encompassed by the continuance shall be excluded from the computation of time under the
10 Speedy Trial Act.
- 11 4. The defendant shall promptly file a speedy trial waiver encompassing the
12 excluded time period.

13 DATED this 30th day of November, 2005.

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15 /S/Marsha J. Pechman
16 Hon. Marsha J. Pechman
17 United States District Judge
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